



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL – COUNCIL CHAMBERS
450 Cypress Creek Road, Building Four, Cedar Park**

THURSDAY, MAY 24, 2012 AT 6:30 P.M.

Mayor Bob Lemon
Stephen Thomas, Council Place One
Mitch Fuller, Council Place Two
Scott Mitchell, Council Place Three

Mayor Pro Tem Lowell Moore
Tony Dale, Council Place Five
Don Tracy, Council Place Six
Brenda Eivens, City Manager

AGENDA

- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.
- A.2 Invocation. (2)
- A.3 Pledges of Allegiance. (U.S. and Texas)
- A.4 Ceremonial Swearing In Of Elected Officials From The May 12, 2012 General And Special Election:
 - i.. Mayor - Matt Powell
 - ii. Council Place One - Stephen Thomas
 - iii. Council Place Two - Mitch Fuller
 - iv. Council Place Four - Lowell Moore
 - v. Council Place Six - Don Tracy
- A.5 Recess For Installation Of Mayor And Council On The Dais.
- A.6 Recognition Of Mayor Lemon And His Service To The City Of Cedar Park.
- A.7 Announcement Of Mayor Pro Tem In Accordance With Council Rules Of Procedure Rule 4.1. (Powell)
- A.8 Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information)

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

- A.9 Mayor and Council Opening Comments.
- A.10 City Manager Report: Employee Recognition For Service With The City Of Cedar Park.
 - a. James Hemenes, Assistant Parks And Recreation Director - Five Years Of Service.
- A.11 City Manager Report: Update On The Parks And Recreation Department Summer Events For Pool-a-palooza, Canp Timberwolf, Swim Lessons And July 4th Celebration - Curt Randa, Parks And Recreation Director.
- A.12 City Manager Report: Update On The Parks And Recreation Department Proposed Park Improvement Projects - Curt Randa, Parks And Recreation Director.

CONSENT AGENDA

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of all matters set forth on Agenda Items B, C, and D.

- B.1 Approval Of The City Council Minutes From The Meeting Of April 26, 2012.
- B.2 Receipt Of Minutes From The Cedar Park Community Development Corporation ("4B") Meeting Of February 15, 2012.
- B.3 Receipt Of Minutes From The Cedar Park Community Development Corporation ("4B") Meeting Of March 13, 2012.
- B.4 Receipt Of Minutes From The Cedar Park Community Development Corporation ("4B") Meeting Of April 10, 2012.
- B.5 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of April 17, 2012.
- B.6 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of February 21, 2012.
- B.7 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of March 20, 2012.
- B.8 Receipt Of Minutes From The Tourism Advisory Board Meeting Of February 28, 2012.
- C.1 Second Reading And Approval Of An Ordinance Allowing Implementation Of The February 10, 2012 Interim Rate Adjustment Filing Pursuant To The Texas Utilities Code Section 104.301 Of Texas Gas Service Company, A Division Of Oneok, Inc.
- C.2 Second Reading And Approval Of An Ordinance Authorizing The Sale Of An Approximately 0.338 Acre Tract Of Land To Williamson-Travis Counties Municipal Utility District No. 1.

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- D.1 A Resolution Authorizing and Directing The City Manager To Apply For The Texas Commission on the Arts - Arts Respond Performance Support Grant.
- D.2 A Resolution Authorizing And Directing The City Manager To Execute A Purchase Contract Between The City Of Cedar Park And Will Wilson Jr, Wilson Land And Cattle Company, Reid Blair Flemming, And Heather Christian Flemming Attridge, Collectively Referred To As Property Owner, Under The Brushy Creek Road (Parmer Lane To Arrowhead Trail) Reconstruction Project.
- D.3 A Resolution Authorizing And Directing The City Manager To Negotiate And Execute An Engineering Services Agreement With Freese and Nichols For The Design Of The US 183 And New Hope Drive Right Turn Lane Project.
- D.4 A Resolution Authorizing And Directing The Mayor To Execute An Agreement With The Cedar Park Community Development (4B) Board And The City Of Cedar Park To Provide For The Construction Of Alternate Driveway Access To Serve Building Materials Corporation, Tolteq And Associated Economic Development Opportunities In An Amount Not To Exceed \$250,000.
- D.5 A Resolution Awarding Construction Bid for the Cottonwood Creek Trail and New Hope Drive Reconstruction Project to Capital Excavation for \$5,739,259.38.
- D.6 A Resolution Authorizing The Purchase Of Two Mowers Approved in the FY12 Vehicle and Equipment Replacement Fund ("VES") Budget, The Sale Of Existing Equipment, Authorize Gaston Sheehan Auctioneers and Gov Deals To Represent The City In The Sale Of Equipment.
- D.7 A Resolution Authorizing and Directing The City Manager To Apply For the EMS Local Projects Grant Program from the Texas Department of State Health Services for State Fiscal Year 2013.
- D.8 A Resolution Authorizing And Directing The Mayor To Execute The 2012 Interlocal Agreement For Interim Water Supply.
- D.9 A Resolution Denying A Rate Increase Requested By Atmos Energy Corporation On Or About January 31, 2012.
- D.10 A Resolution Authorizing The Purchase Of A Water Meter Test Bench From Mars Company In An Amount Not To Exceed \$70,000.

PUBLIC HEARINGS

- E.1 (Z-12-005) First Reading And Public Hearing Of An Ordinance To Assign Original Zoning Of Local Retail - Conditional Overlay (LR-CO) For Approximately 7.47 Acres For Property Located At 1321 West New Hope Drive. The Conditional Overlay Increases The Northern Buffer From 20 Feet To 40 Feet. **The Planning And Zoning Commission Voted 6-0 To Approve The Request.**

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REGULAR AGENDA (NON-CONSENT)

- F.0 Discussion And Possible Action:
- F.1 Consideration To Select Council Representatives To Serve On The Consultant Selection Committee for the Comprehensive Plan.
- F.2 Consideration Of The Candidates For The Pedernales Electric Cooperative Board Election, Designation Of City Ballots And Casting Of Vote.

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The City Council may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

- G.0 Executive Session
- G.1 Section 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property
 - a. Legal Issues Concerning The Acquisition Of Right-Of-Way For The Bagdad Road Reconstruction Project.
 - b. Legal Issues Concerning Terms And Conditions To Acquire Real Property For Fire Station Number Five.
- G.2 Section 551.087 Deliberation Regarding Economic Development Negotiations
 - a. Legal Issues Regarding An Economic Development Agreement For A Major Retail Development.

The Council Reconvenes into General Session.

OPEN MEETING

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

- H.0 Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session
- H.1 Mayor And Council Closing Comments.
- H.2 Adjournment.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council. Separate agenda items may be combined and discussed together at the discretion of the Chair.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizen Communications" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

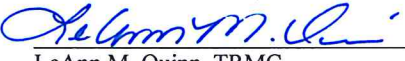
The City Attorney has approved the Executive Session Items on this agenda.

CERTIFICATION

I certify that the above notice of the Regular Scheduled City Council Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on MAY 18 '12 PM 2:53

Date Posted: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park Council Chamber is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or FAX (512) 401-5003 for further information.


LeAnn M. Quinn, TRMC
City Secretary

Notice Removed: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

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